FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

Review Petition Stamp No. 22620 of 2005
in
Writ Petition No. 2572 of 2005

Office NOtes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's order	Court or Judge's Order

Shri P.M.Pradhan for petitioner
Shri V.P.Malvankar, A.G.P. for respondent.

CORAM: A.P.SHAH &
S.J.VAZIFDAR JJ.
26th October,2005

P.C.

. Heard the learned Counsel for the parties.

. Shri Pradhan, learned counsel appearing for the petitioner, submitted that the main contention of the petitioner before the Tribunal was that the promotion granted to him was illegally cancelled. The Tribunal, however, proceeded on the basis that the only question is about

regularization of compulsory waiting period between 31st July, 2002 to 6th November, 2002 overlooking the fact that the order of cancellation was challenged by the petitioner. Shri Pradhan submitted that unfortunately this position was not brought to the notice of this Court when this petition was heard by the Bench. We find substance in the submission of Shri Pradhan. In our opinion, ends of justice will be met if the order under review is recalled and the petition is heard afresh.

. Review Petition is allowed. Order dated 5th July, 2005 is recalled.

. Office is directed to place the matter before the appropriate Bench after vacation.